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8 Attorneys for Defendants

9 HSBC MORTGAGE CORPORATION (USA) and
HSBC BANK USA, N.A.

10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION

13 Philip Wong, Frederic Chaussy, and Leslie
Marie Shearn, individually, on behalf of all
14 others similarly situated, and on behalf of
the general public,

15 Plaintiffs,

16 v.

17 HSBC Mortgage Corporation (USA);
18 HSBC Bank USA, N.A.; and DOES 1
through 50, inclusive,

19 Defendant.
20

Case No. C 07 2446 MMC [ECF]

**DECLARATION OF JACKIE MARKUNAS
IN OPPOSITION TO PLAINTIFFS'
MOTION FOR CLASS CERTIFICATION
UNDER FED. R. CIV. P. 23**

Date: October 10, 2008
Time: 9:00 a.m.
Courtroom: 7 (19th Floor)
Judge: Hon. Maxine M. Chesney

21 I, Jackie Markunas, hereby declare and state:

22 1. I have personal knowledge of the facts set forth below. If called as a witness,
23 I would testify to the following.

24 2. I am employed by HSBC Finance Corporation ("HBIO") as a Human
25 Resources Information System Analyst. HBIO provides payroll services to Defendant HSBC
26 Mortgage Corporation ("HMCU").
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3. As a Human Resources Information System Analyst, my duties include, among other things, maintaining and reviewing payroll data.

4. In the regular course of business, payroll information for all HMCU employees is stored electronically in PeopleSoft.

5. Using queries, my department determined from the electronically-stored payroll data that for the time period of 2004 through 2007, at least 77 loan officers employed by HMCU had an annual income of more than \$100,000.

6. Moreover, the data does not account for individuals who did not work a full year and might have made more than \$100,000 had they stayed through the year.

I declare under penalty of perjury under the laws of the State of California and the United States of America that the foregoing declaration is true and correct to the best of my personal knowledge. Executed this 19th day of September, 2008, in Wood Dale, Illinois.

Jackie Markunas
JACKIE MARKUNAS